



From: Mr. M. J. Hunt <max.hunt@leics.gov.uk>
Sent: 23 August 2021 15:59
To: localplans@charnwood.gov.uk
Subject: RE: Draft Local Plan: Objection to H7
Attachments: Objections to H7 - HMOs.pdf

Dear Local Plans,
Please withdraw my earlier submission and replace with the attached updated version. Thank you

Max Hunt, *County Councillor for Loughborough NW*
ICO Data Protection Reg: ZA165617


From: Mr. M. J. Hunt
Sent: 13 August 2021 09:11
To: localplans@charnwood.gov.uk
Subject: Draft Local Plan: Objection to H7

Please find attached my objection to H7. I would be grateful if you would confirm receipt. Thanks.

Max Hunt, *County Councillor for Loughborough NW*
ICO Data Protection Reg: ZA165617


You'll no doubt be aware that the coronavirus pandemic is affecting all public services.

At Leicestershire County Council, we're currently working hard to maintain our critical services. Because of this we're having to prioritise all our work and you may not get a reply as quick as usual.

We're really sorry for any delay - and we hope to reply as soon as we can. Thank you for your support and understanding.

For the latest updates visit: www.leicestershire.gov.uk/coronavirus-covid-19

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Objection to H7 Houses in Multiple Occupation

My contention, supported by residents and colleagues, is that the H7 Houses in Multiple Occupation is unsound.

1. The Plan for threshold levels is not based on any firm evidence.
2. Policy H7 is not supported by an analysis of Loughborough's housing need.
3. The policy will further erode the stock of affordable homes.
4. The fragility of the threshold applied in Loughborough makes it impossible to deliver with consistency or transparency.



1 Heathcote St, Loughborough, Aug 2021.
(Photos do not necessarily relate to adjacent text.)

A Loughborough policy

This first point to note is that the Article 4 Direction applies to Loughborough only.

The vast majority of HMOs in Loughborough are occupied by university students owned by landlords specialising in this market. Calculations are likely to be skewed because some students don't provide their address details on registration. It is a misunderstanding to equate Loughborough's HMOs to those beyond the town which are largely home to mature tenants in the periphery of the city of Leicester.

Hence this policy reflects serious concerns in the town of Loughborough only. It also relates substantially to the student market which includes halls of residence and PBSAs.

No firm evidence is presented on how this market operates in the town, nor indeed on future trends due to Covid and its variants. Significant private investment is being devoted to purpose-built student accommodation PBSAs in the town which are increasingly attractive to students.

The problems are outlined in 4.52, 4.53, 4.68, 4.69 and **contrary to 4.51**, in the increase in cost of properties in competition with student landlords. Student housing sucks up housing normally at the bottom of the market putting them beyond the pockets of young families - rather like the second homes market in rural locations.

As the CBC Housing Needs Assessment 2020 says (10.17): *A lack of affordable private rented properties in Loughborough makes it difficult for families unable to buy to access affordable properties as many of these properties have been converted to HMOs.*

The policy also neglects the effect on local primary schools since students very rarely have school age children. One primary school has already closed for lack of children in Storer Ward.

Others in such in more pupils from further afield to bolster numbers. This increases traffic outside schools and reduces community cohesion.

Example: On the northern side of the town the socially deprived Ashby Road Estate enjoys a high degree of cohesion with a local school, social amenities and most important: inter-generation family support. It is balanced across all generations with a shared history. In recent years this has begun to break apart as landlords let to students at impossible rents for families to meet and the social cohesion is slowly ebbing.

Housing need and HMOs



2 Ashby Crescent, Loughborough

The Borough Council have no information on future need for HMOs and simply state that HMOs are market driven. The University has no plans to increase numbers and post-Covid residential demand for students is not likely to increase. There are more student bedrooms *on campus* than ever before in its history and have even added over 600 more in 2019.

The number of student places in Purpose Built Student Accommodation (PBSA) *off campus* is higher than ever before and still growing is likely to respond to any further demand under Policy H8. These put pressure on both the luxury end of the student market as well as undercutting the university at the lower end.

Whilst lowering threshold may look like the number of HMOs will reduce (eg by 10%), and would if we were starting from scratch. In reality, of course, this will continue to increase the number of HMOs spread across a wider area of the town.

Formal Response to questions on housing need from Charnwood BC Cabinet 10 June 2021

The Council does not have evidence to support the need for HMOs. They are market led. The Council does not take into account housing need when assessing planning applications for Purpose-Built Student Accommodation.

The HMO study published in December 2018 provides information on the concentration and pattern of HMOs in Loughborough. Inferences may be taken about market trends in the location of HMOs from the databases used to inform this study. However, this data cannot be published as it is considered to be exempt under FOI and EIR rules.

The Council does not have estimates of the extra number of HMOs that would be generated at different thresholds. The Council already has a 20% threshold in place and the proposal in the pre-submission local plan to reduce this to 10% is unlikely to generate additional HMOs as a consequence; rather it is more likely to change the pattern/location of HMOs across the town over time

The fragility of the Loughborough Threshold

At local level threshold is both unreliable and variable as a metric. It is not possible for the public or even the council to adequately verify the numbers concerned at any one time yet almost all applications are judged on threshold alone. The calculations were initially based on census areas, but then moved to a 100m radius. As a result the numbers concerned are often low and challenged at the margin. The count is based on a debatable location within each property, with the latest interpretation being the 'centre of the building'. This in itself is not a geometric measure but is set down in the new policy.



3 Green Close Lane: low rents in PBSAs

This was one of the reasons why the Loughborough Area Committee agreed to fund a review by Smith and Culora (2018) who delivered a register of HMOs. Named the HIMOG Database, it is unpublished although it contains no personal data. It was intended to be updated annually because of the volatility of the student market, **but the database has not been updated since its release in 2018.**



4 Station Street, Loughborough

The Council itself says *“it is difficult for the Council to have a database that is 100% accurate at all times as the status of the properties are fluid”*. As stated above it is also impossible to identify all student HMOs, particularly from other HMOs.

The Council changed their practice from setting thresholds on LSOAs to 100m radius due to frequent complaints but this has meant many more disputes between applicants, objectors and the council. This is particularly troublesome where small numbers of houses are involved when calculations are marginal and the council will not publish their evidence.

Because of the persistent complaints from the community the borough council asked for a second piece of research to look into lowering the threshold and support the Local Plan in doing so.

There is no evidence to support a 10% threshold any more than a 15% or a 5% level. As suggested in 4.50 of the Draft Plan lowering thresholds, simply transfers the problems outlined above, to new areas of the town whilst doing little for the already saturated areas.

The Draft Plan fails to cite any evidence instead referring to unreferenced “studies”. The evidence, such as it was, in the commissioned research was that all authorities had lowered their thresholds from that initially set and that this will continue as each new community is affected.

The ‘HIMOG’ database used to estimate the number of existing HMOs in a 100m radius is often inaccurate or out of date.

When numbers are close to the margin features like ‘centre of the property’ or changes in the community can have a pivotal effect on the outcome.

There is no transparency allowing objectors and others to access the HIMOG data held. This prevents proper consideration.

There is, of course, no right of appeal from objectors, therefore no records of disputed figures.

Qualitative factors already override the Threshold

In an attempt to address the continuing disputes over the threshold approach which leave residents powerless and aggrieved, the latest Draft Plan puts forward (4.61) a large number of factors which, in the absence of firm evidence, allows applications to breach the threshold and be permitted:

- size of large HMOs
- proximity of Hall of Residence
- any natural/physical boundaries
- noise
- car parking issues



- standards of property in the area
- parking issues
- reported crime
- recorded anti-social behaviour
- accumulations of waste and rubbish
- littering

- fly-posting

5 A local landlord builds a new PBSA, 2021

- the proliferation of letting signs
- impact on the character and amenity of an area

Summary

The threshold measure is widely discredited amongst the community it seeks to protect. **The threshold approach has had its days.**

The new 10% level proposed would deliberately expose more family housing to student landlords, particularly north (Loughborough Ashby) and south (Loughborough Nanpantan) of the university campus.

- There is no evidence to support a specific threshold percentage, such as 10%, merely a downward trend.
- There is no evidence of further housing need in this sector in Charnwood's Needs Assessment 2020.
- The current threshold system, with its protected HMOG database, is not transparent and relies on annual updates which are not made or published.
- The addition of so many qualitative factors already permits the threshold to be breached.



6 *The Wharf, Loughborough: A large PBSA*

Recommendations

The threshold should be removed from H7 and in order to prevent further loss of family homes through conversion to HMO, there should be a presumption in favour of retention of the status quo and planning permission for change of use to HMO should be refused except in demonstrated need.

Article 4 Direction applies to Loughborough only and these policies therefore do only apply beyond the town.

Should this not be accepted the Authority should either,

- **Not set the threshold limit itself in policy and review between Local Plans or,**
- **Set a threshold of 5% with mitigating quality factors continuing to apply.**